

# Exhibit 4

1  
2 UNITED STATES DISTRICT COURT  
3 SOUTHERN DISTRICT OF NEW YORK  
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6 -----x  
7 STEVEN E. GREER, M.D.,

8 Plaintiff,

9 vs.

10 DENNIS MEHIEL, et al.,

11 Defendants.  
12 -----x

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16 DEPOSITION OF DENNIS MEHIEL

17 New York, New York

18 Monday, April 3, 2017  
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24 Reported by: David Henry

25 JOB NO. 122008

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April 3, 2017  
2:50 p.m.

Deposition of DENNIS MEHIEL, held  
at the Federal Courthouse, 500 Pearl  
Street, New York, New York, pursuant to  
Notice, before David Henry, a Certified  
Court Reporter and Notary Public of the  
State of New York.

A P P E A R A N C E S:

The Plaintiff Steven Greer, M.D.  
appeared pro se

SHER TREMONTE  
Attorneys for Defendant Battery Park  
City Authority  
90 Broad Street  
New York, New York 10004

BY: MICHAEL TREMONTE, ESQ.

AND: MICHAEL GIBALDI, ESQ.

ROSENBERG & ESTIS  
Attorneys for all Defendants other  
than Battery Park City Authority and  
Defendant Serpico  
733 Third Avenue

New York, New York 10017

BY: DEBORAH RIEGEL, ESQ.

ALSO PRESENT:

ABBY GOLDENBERG, ESQ.

Battery Park City Authority

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2 A. No. I don't read the  
3 BatteryPark.TV.

4 MR. TREMONTE: Focus on the  
5 question.

6 Q. Were you aware -- and I just have  
7 one or two more, so relax. I just have to  
8 be thorough. I've got to go down all of  
9 them.

10 Were you aware of my articles in  
11 BatteryPark.TV that reported on conflicts  
12 of interest between Governor Cuomo and IGY  
13 Marina? And you know what IGY Marina is.

14 MR. TREMONTE: Objection. Were  
15 you aware?

16 A. No. I need to correct my answer  
17 ever so slightly, okay? And I'm going to  
18 say this in response to this entire series  
19 of questions. From time to time someone on  
20 my staff would send me an email, yack yack.  
21 I'm going to tell you that 99.9 percent of  
22 the time I do not open the attachment, I do  
23 not read it, I have no interest in it. So  
24 I'm not suggesting by my answers these  
25 things didn't occur, I'm simply stating my

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2 Q. Okay, very good. That's what I'm  
3 getting to.

4 MR. TREMONTE: Objection.

5 That's not a question.

6 A. By the way, I can't remember  
7 whether that discussion was with staff or  
8 with the members. But I know that we had  
9 those conversations because --

10 Q. And what would be the reason --

11 MR. TREMONTE: Excuse me, let  
12 the witness finish.

13 Q. And what would be the reason for  
14 barring me from a public meeting?

15 A. Your behavior during the public  
16 meeting.

17 Q. Such as?

18 A. Such as refusing to leave the  
19 room when we went to executive session and  
20 having our chief of staff tell you that he  
21 was going to have to call security to evict  
22 you if you didn't leave.

23 Q. Okay, was that a public meeting?

24 A. It was public until it was  
25 executive session, which is non-public.

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2 and forth from Sherry Hyman to Alex  
3 Pastilonik to Karen McCabe discussing how  
4 the BPCA would go about not allowing me in  
5 to board meetings by, for example, alerting  
6 Brookfield Security? Are you aware of many  
7 e-mails back and forth among staff planning  
8 and preparing for the next meeting to not  
9 allow me in?

10 MR. TREMONTE: Objection.

11 A. No.

12 Q. Okay. Some of those emails might  
13 have had your name on it, you're not aware?

14 MR. TREMONTE: Objection, asked  
15 and answered.

16 Q. Okay, did you or anyone you know  
17 of at the BPCA alert Brookfield Properties  
18 or the NYPD warning them that Steven Greer,  
19 however you referred to me, was basically a  
20 scary threat that shouldn't be let in for  
21 security purposes?

22 MR. TREMONTE: Objection.

23 A. Repeat the question.

24 Q. Did you or anyone at the BPCA  
25 that you are aware of notify Brookfield

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2 Property National Security staff, the  
3 people who were in your offices, or even  
4 the New York Police Department warning them  
5 that I, Steven Greer, am a threat that  
6 should not be allowed into the board  
7 meetings?

8 MR. TREMONTE: Objection.

9 A. I instructed the chief of staff  
10 to engage Brookfield Security when we had  
11 public meetings to be certain that you  
12 didn't enter the premises, at least not up  
13 to the 24th floor.

14 Q. Okay. Did you also -- now we're  
15 talking about the meeting of June 8, 2016.  
16 That's where I attended. Do you recall  
17 that?

18 MR. TREMONTE: Objection.

19 A. June of 2016? A public meeting  
20 you came to, is that the one where Kevin  
21 asked you to leave?

22 Q. No, no, this would be --

23 A. Because that's like a year later.

24 Q. Yeah, no, this would be the first  
25 meeting that I had attended for more than a



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2 A. I don't remember whether we had  
3 it then. I will concur that it was  
4 crowded.

5 Q. And then subsequent to that when  
6 there were no crowds for other board  
7 meetings, that's when I was given the  
8 excuse that I couldn't enter, but you're  
9 welcome to watch it on a video overflow  
10 room down on West Thames. Are you aware of  
11 that?

12 MR. TREMONTE: Objection.

13 A. I am aware that I barred you from  
14 the meetings during that period. I'm not  
15 sure it had anything to do with crowds.

16 Q. Okay, alright. During board  
17 meetings, it's -- either your previous law  
18 firm or -- it's been discussed in briefs  
19 that the BPCA board meetings officially are  
20 not venues for taking questions from the  
21 public or the press. Is that a fair  
22 characterization? Is that fair? Is that  
23 accurate?

24 MR. TREMONTE: Objection.

25 A. We don't engage in public

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2 dialogue during the public meetings. When  
3 you say public dialogue, I mean, we do not  
4 exchange -- we don't involve ourselves in  
5 exchanges with, if you will, non-members  
6 and non-staff during those meetings. We  
7 now allow public comment, but we don't  
8 respond to it.

9 Q. So even now, even with the public  
10 comment sessions now, the BPCA is not  
11 officially fielding questions, is that  
12 correct?

13 MR. TREMONTE: Objection.

14 A. That is correct.

15 Q. Have you ever fielded, answered  
16 questions from the press or others during  
17 board meetings in 2014, 2015?

18 MR. TREMONTE: Objection.

19 A. On occasion after a meeting is  
20 over, a reporter has asked me a question or  
21 two and I've answered it. It's not common,  
22 but it happens, and when it does I try to  
23 respond.

24 Q. After President Boutris left,  
25 it's the February 22, 2014 board meeting,

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2 MR. TREMONTE: Objection.

3 A. Not to my knowledge.

4 Q. If you wanted to, is there any  
5 structure, law, regulation, in the bylaws  
6 of the creation of the BPCA, do you have  
7 any power to make a difference in the lease  
8 agreement between a renter and a company  
9 owner like Howard Milstein, could you as  
10 the BPCA bypass someone like Howard  
11 Milstein's organization and directly impact  
12 whether a lease is renewed or not renewed?

13 MR. TREMONTE: Objection.

14 A. If I understand the question --

15 MR. TREMONTE: If you don't  
16 understand the question, ask him to  
17 ask it again.

18 A. No, because I want to put it in  
19 my language and see if I'm answering the  
20 right question, okay?

21 You're asking me if our ground  
22 lease arrangements with an owner and  
23 operator of a rental property would allow  
24 us to direct or otherwise substantially  
25 influence their individual renter tenant

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2 decisions.

3 Q. Correct.

4 A. I mean, to my knowledge  
5 absolutely not. You know, these ground  
6 leases are this thick. As far as I know,  
7 the answer is no.

8 Q. Very good. And I've just got to  
9 ask the obvious one. To your knowledge,  
10 did Robert Serpico or Sherry Hyman or  
11 anyone collude, I think is the best word,  
12 organize, work with, Steve Rossi or anyone  
13 in the real estate companies of Howard  
14 Milstein? Did anyone from the Battery Park  
15 City Authority work with Steve Rossi or any  
16 other executive of Howard Milstein's group  
17 to have my personal lease at 200 Rector  
18 Place not renewed?

19 MR. TREMONTE: Objection.

20 A. Not to my knowledge.

21 Q. While we're on it, do you know  
22 how Howard Milstein?

23 A. I do.

24 Q. And does someone like Howard  
25 Milstein or LeFrak, a large real estate